



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION III
1650 Arch Street
Philadelphia, Pennsylvania 19103-2029

VIA UPS

NOV 21 2016

Mr. Ryan Newton
EHS Manager
CCL Containers
1 Llodio Drive
Hermitage, PA 16148

**Re: Notice of Violation
Compliance Evaluation Inspection
July 6, 2016
EPA ID No. PAD981739204**

Docket Number: R3-17-NOV-RCRA-008

Dear Mr. Newton:

On July 6, 2016 the U.S. Environmental Protection Agency, Region III ("EPA") conducted a Compliance Evaluation Inspection ("CEI") under the Commonwealth of Pennsylvania Hazardous Waste Regulations ("PAHWR") and the Resource Conservation and Recovery Act ("RCRA"), as amended, 42 U.S.C. Sections 6901 et seq. at your facility. A copy of the inspection report is enclosed. Based on that inspection and/or review of other pertinent information, EPA has determined that CCL Containers (the Facility) is violating regulations promulgated under PAHWR and RCRA. As a result of this finding, the Agency is issuing this **Notice of Violation (NOV)**. The specific violation(s) are:

1. During the inspection the inspector observed, next to the Lithographic press, an unlabeled 5 gallon container stated to be waste ink; see page 7. No hazardous waste determination was made for the material in this container. Failure to make a hazardous waste determination as required by 25 PA § 262a [40 CFR 262.11]
2. During the inspection of Production Line 7 the inspector observed an open cubic yard container labeled as hazardous waste; see photo 30. Failure to keep container closed as required by 25 PA § 262a [40 CFR 262.34(a)(1)(i)].
3. During the inspection of Production Line 10 the inspector observed an unlabeled 55 container by the oven curator machine being used as satellite accumulation area. By the Lithographic press the inspector observed two 55 gallon containers that were not marked and are used to store waste ink; see pages 7 of inspection report. Failure to label containers as required by 25 PA § 262a [40 CFR 262.34(c)(1)(i)].



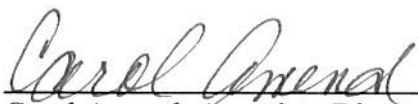
Section 3008(a) of RCRA authorizes EPA to take an enforcement action whenever it is determined that any person has violated, or is in violation, of any requirement of RCRA as amended. Such an action could include a penalty of up to \$37,500 per day of violation. In addition, failure to achieve and maintain compliance with the regulations cited in this Notice of Violation may be treated as a repeated offense and may constitute a "knowing" violation of Federal law.

Within thirty (30) calendar days of the receipt of this NOV, please submit a response documenting the measures the facility has taken or is taking to achieve compliance with the violations noted above or provide an explanation of facts and circumstances that cause you to believe that EPA's determination of the alleged violations are in error. If the compliance measures identified are planned or are on-going, please provide a schedule for when the compliance measures will be completed.

With regard to the Small Business Regulatory Enforcement and Fairness Act (SBREFA), please see the "Information for Small Businesses" memo, enclosed, which might be applicable to your company. This enclosure provides information on contacting the SBREFA Ombudsman to comment on federal enforcement and compliance activities and also provides information on compliance assistance. As noted in the enclosure, any decision to participate in such program or to seek compliance assistance does not relieve you of your obligation to respond in a timely manner to an EPA request or other enforcement action, create any rights or defenses under law, and will not affect EPA's decision to pursue this enforcement action. To preserve your legal rights, you must comply with all rules governing the administrative enforcement process. The Ombudsman and fairness boards do not participate in the resolution of EPA's enforcement action. EPA has not made a determination as to whether or not you [or your company] are covered by the SBREFA.

This Notice of Violation is not intended to address all past violations, nor does it preclude EPA from including any ongoing, including the one cited in this letter, or past violations in any future enforcement action. Any response to this NOV shall be addressed to:

Stephen Forostiak
Office of Land Enforcement
EPA Region III - 3LC70
1650 Arch Street
Philadelphia, PA 19103-2029
forostiak.stephen@epa.gov



Carol Amend, Associate Director
Land and Chemicals Division
Office of Land Enforcement

Date *Nov 21, 2014*

Enclosure

cc: S. Forostiak (3LC70)
M. Gross, PADEP (Central Office)